

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION**

RICHARD LOGAN, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

PROPETRO HOLDING CORP., DALE  
REDMAN, JEFFREY SMITH, IAN  
DENHOLM, SPENCER D. ARMOUR, III,  
SCHUYLER E. COPPEDGE, STEPHEN  
HERMAN, MATTHEW H. HIMLER,  
PETER LABBAT, GOLDMAN, SACHS &  
CO., BARCLAYS CAPITAL INC.,  
CREDIT SUISSE SECURITIES (USA)  
LLC, J.P. MORGAN SECURITIES LLC,  
EVERCORE GROUP L.L.C., RBC  
CAPITAL MARKETS, LLC, PIPER  
JAFFRAY & CO., RAYMOND JAMES &  
ASSOCIATES, INC., DEUTSCHE BANK  
SECURITIES INC., JOHNSON RICE &  
COMPANY L.L.C., and TUDOR,  
PICKERING, HOLT & CO. SECURITIES,  
INC.,

Defendants

CASE 7:19-CV-00217

**STIPULATION AND PROPOSED  
ORDER**

WHEREAS, on September 16, 2019, Plaintiff Richard Logan (“Plaintiff”), individually and on behalf of all others similarly situated, filed a complaint (the “Complaint”) in the above-captioned action against Defendants ProPetro Holding Corp., Dale Redman, Jeffrey Smith, Ian Denholm, Spencer D. Armour, III, Schuyler E. Coppedge, Stephen Herman, Matthew H. Himler,

Peter Labbat, Goldman, Sachs & Co., Barclays Capital Inc., Credit Suisse Securities (USA) LLC, J.P. Morgan Securities LLC, Evercore Group L.L.C., RBC Capital Markets, LLC, Piper Jaffray & Co., Raymond James & Associates, Inc., Deutsche Bank Securities Inc., Johnson Rice & Company L.L.C., and Tudor, Pickering, Holt & Co. Securities, Inc., (collectively, “Defendants”);

WHEREAS, this action is subject to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §§ 78u-4 to -5 (“PSLRA”), which contemplates (among other things) the appointment of Lead Plaintiff and Lead Counsel;

WHEREAS, Plaintiff anticipates that a Lead Plaintiff and Lead Counsel will be appointed by the Court, and that an amended complaint will be filed thereafter;

WHEREAS, if appointed Lead Plaintiff by the Court, Plaintiff intends to file an amended complaint; and

WHEREAS, counsel for Plaintiff and counsel for Defendants have met and conferred, and they agree that it would be most efficient and reasonable (i) to extend the time for Defendants to answer or otherwise respond to any complaint in this action (including the Complaint) until after the Court’s appointment of a Lead Plaintiff and the Lead Plaintiff’s filing of an amended complaint; and (ii) to establish a briefing schedule for Defendants’ anticipated motion to dismiss the amended complaint once a Lead Plaintiff is appointed by the Court and such amended complaint has been filed;

IT IS HEREBY stipulated by and among the parties, subject to the Court’s approval, as follows:

1. Each Defendant hereby acknowledges that it either has been served, or by this stipulation, accepts service of the Complaint in this action, provided, however, that the acceptance of service and entry into this Stipulation shall not waive, and Defendants expressly

preserve, any rights, claims or defenses, including, but not limited to, all defenses relating to jurisdiction, other than a defense as to the sufficiency of service of the summons and Complaint and the form of the summons.

2. For purposes of Rule 5(b) of the Federal Rules of Civil Procedure and Rule CV-5 of the Local Civil Rules, the Parties agree that they shall serve papers, including pleadings, discovery requests, and trial materials, on each other through e-mail or ECF, as applicable, except to the extent that transmission of any such documents electronically is impractical, in which event service shall be made by hand or through overnight delivery to counsel of record for the receiving party.

3. Defendants are not required to answer, move, or otherwise respond to the Complaint in the above-captioned action;

4. Promptly following an order appointing Lead Plaintiff and Lead Counsel, Lead Counsel shall meet and confer with counsel for Defendants for the purpose of jointly submitting a proposed schedule for the filing of a single operative amended complaint by Lead Plaintiff, the filing of any motion(s) to dismiss the amended complaint by Defendants, Lead Plaintiff's opposition to the motion(s) to dismiss, and Defendants' reply brief(s). Lead Plaintiff shall file such proposed schedule no later than 10 days following the Court's order appointing Lead Plaintiff and Lead Counsel.

DATED: November 7, 2019

**KENDALL LAW GROUP, PLLC**

By: /s/ Joe Kendall  
Joe Kendall (Texas Bar No. 11260700)  
3811 Turtle Creek Blvd., Suite 1450  
Dallas, TX 75219  
Telephone: (214) 744-3000  
Facsimile: (214) 744-3015  
Email: jkendall@kendalllawgroup.com

**GLANCY PRONGAY & MURRAY LLP**

Lionel Z. Glancy  
Robert V. Prongay  
Lesley F. Portnoy  
Charles H. Linehan  
Pavithra Rajesh  
1925 Century Park East, Suite 2100  
Los Angeles, CA 90067  
Telephone: (310) 201-9150  
Facsimile: (310) 201-9160

*Attorneys for Plaintiff Richard Logan*

DATED: November 7, 2019

**HUGHES HUBBARD & REED LLP**

By: /s/Theodore V.H. Mayer  
Theodore V.H. Mayer  
One Battery Park Plaza  
New York, NY 10004-1482  
P +1 212 837 6000  
F +1 212 422 4726  
Email: ted.mayer@hugheshubbard.com

Kevin T. Abikoff (Texas Bar No: 24034118)  
Benjamin S. Britz  
1775 I Street, NW  
Washington, DC 20006  
Telephone: (202) 761-4600  
Email: abikoff@hugheshubbard.com  
Email britz@hugheshubbard.com

*Attorneys for Defendants ProPetro Holding Corp., Spencer D. Armour, III, Schuyler E. Coppedge, Stephen Herman, Matthew H. Himler, and Peter Labbat*

**SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP**

By: /s/ Noelle M. Reed  
Noelle M. Reed (Texas Bar No: 24044211)  
1000 Louisiana Street  
Suite 6800  
Houston, Texas 77002  
T:1.713.655.5100  
F:1.713.655.5200  
Email: noelle.reed@skadden.com

*Attorney for Defendants Goldman, Sachs & Co., Barclays Capital Inc., Credit Suisse Securities (USA) LLC, J.P. Morgan*

*Securities LLC, Evercore Group L.L.C., RBC Capital Markets, LLC, Piper Jaffray & Co., Raymond James & Associates, Inc., Deutsche Bank Securities Inc., Johnson Rice & Company L.L.C., and Tudor, Pickering, Holt & Co. Securities, Inc.*

**WINSTEAD PC**

By:\_\_\_\_/s/Toby Galloway\_\_\_\_\_  
Toby M. Galloway (Texas Bar No.  
00790733)  
Matthias J. Kleinsasser (Texas Bar No.  
24071357)  
300 Throckmorton Street  
Suite 1700  
Fort Worth, Texas 76102  
817.420.8200 Phone  
817.420.8201 Fax

*Attorney for Defendant Dale Redman*

**BELL NUNNALLY & MARTIN LLP**

By:\_\_\_/s/\_Craig Warner\_\_\_\_\_  
Craig Warner (Texas Bar No: 24084158 )  
Jeffrey Ansley (Texas Bar No: 00790235)  
2323 Ross Avenue  
Suite 1900  
Dallas, Texas 75201  
Tel 214-740-1400  
Fax 214-740-1499

*Attorneys for Defendant Ian Denholm*

**BROPHY EDMUNDSON SHELTON  
WEISS**

By:       /s/ J. Kevin Edmundson        
Kevin Edmundson (Texas Bar No:  
24044020)  
210 Barton Springs Rd., Suite 500  
Austin, Texas 78704  
Phone: 512-596-3622

*Attorney for Defendant Jeffrey Smith*

**ORDER**

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
David Counts  
United States District Judge